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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/175,521 10/20/98 BEDROSIAN

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MM91/0424

EXAMINER

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GLENN, K

ART UNIT

PAPER NUMBER

2817

DATE MAILED:

04/24/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	<b>Application No.</b> 09/175,521	<b>Applicant(s)</b> BEDROSIAN, PAUL STEPHAN	
	<b>Examiner</b> Kimberly E Glenn	<b>Art Unit</b> 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 26-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 30-35, 40-48 and 52-55 is/are allowed.
- 6) ☒ Claim(s) 26-29 36-39 49-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- |   |  |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____                                    |

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## **DETAILED ACTION**

### ***Claim Objections***

Claims 26, 30, 36, 40 and 48 objected to because of the following informalities:

Should "a control signal" in line 3 of claim 26, be the control signal?

Should "a control signal" in line 3 of claim 30, be the control signal?

Should "a control signal" in line 6 of claim 36, be the control signal?

Should "a control signal" in line 6 of claim 40, be the control signal?

Should "a control signal" in line 8 of claim 48, be the control signal?

Appropriate correction is required.

### ***Response to Remark***

Applicant's remarks regarding 35 USC 112, second paragraph rejection clearly indicates how the beat circuitry detects deviations in the input frequency. The rejection of claims 25-55 is withdrawn. A new rejection based on cited pertinent art follows.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 27-29 and 37-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 27 and 37 recites the limitation "the predetermined frequency" in line 1 of claim 27 and line 1 of claim 37. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26-29, 36-39, and 49-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al US Pat 5,015,871. ( of record)

Taylor et al discloses a oscillator(68) responsive to control signal and the phase locked loop output signal 22, phase comparator 62 responsive to PLL input signal Fr and the PLL output signal 22 by detecting the phase difference between the two signals (Fr and 22) and producing a control signal indicative of that difference, the control signal being coupled to the oscillator 68, and control circuitry ( 90, 92, 94, 96, 98 and 110) responsive to deviations of the PLL input signal frequency outside a predetermined input frequency range by forcing the frequency of the PLL output to a predetermined value, the control circuitry ( 90, 92, 94, 96, 98 and 110) including beat frequency circuitry (96) that detects deviations of the input frequency outside the predetermined input frequency range. The predetermined value to which the output signal 22 is forced falls within the predetermined input frequency range. The control circuitry ( 90, 92, 94, 96, 98 and 110) monitors the input signal's frequency and allows the PLL to lock onto the input signal Fr should the input signal frequency return to the range of predetermined input frequencies. The control circuit (90, 92, 94, 96, 98 and 110) suppress out of range frequency indications for a predetermined time period to allow the PLL to lock onto a input

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signal Fr whose frequency has returned to within a predetermined range of input frequencies.

(see figure 1 and column 3 through column 5 line 30)

***Allowable Subject Matter***

Claims 30-35, 40-47, 48 and 52-54 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:


The prior art of record does not disclose or fairly teach the control circuitry including a measurement circuitry which determines whether the PLL input signal's frequency deviates outside the predetermined input frequency range by measuring the voltage of the control signal coupled to the oscillator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly E Glenn whose telephone number is (703) 306-5942. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

keg  
April 20, 2001

  
Robert Pascal  
Supervisor/Patent Examiner  
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